Sectt. II-27—40,004—6-11-38.

Revenue (1929) Department

Mis SERIES.

G.O. No. 12442

DATED 25-6-1929

[Despatch Abstract.]

Alienation - Land and Revenue - (South Kanara) - Mangalore taluk - Navur village - S.No.158/4 - School, play-ground, well and garden - Parish Union of the Diocese of Mangalore - Sanctioned.

C.F. 31

Revenue **DEPARTMENT.**

CURRENT No. 4747

Received ..... 192 *Registered* 6-2- 192

Subject.

Alienation- Land and Revenue- Mangalore taluk- Pavur village- S.No.-158/4 - school, play ground, well and garden- Parish Union of the Diocese of Mangalore.

ENCLOSURES.
No.
Spare copies

Reference .. No. K 4210/28--3

Station Madras, *Dated the* 4th Febry., 29 192

From B.G.Holdsworth Esq.,I.C.S.,
Secretary,
The Board of Revenue, ~~Revenue~~ Land Revenue / Settlement, etc. ~~Separate Revenue~~.

To W.G.Stokes Esq.,C.S.I.,C.I.E.,I.C.S.,
Commr.of Land Revenue.

~~Resolution~~ Reference.

Read the following:-

Letter from G.J.Wells Esq., M.A.,I.C.S., Collector of South Kanara, Ref.No. 6112-28-A6 dated the 29th January 1929.

Reference.-

In continuation of its Reference K 4210-28-2, dated 7th January 1929, the Board submits that the Parish Union of the diocese of Mangalore has agreed to conditions (iv) and (v) also.

2. The head quarters of the Parish Union is at

angalore. It has no head-quarters outside India.

N Koiphlai
5.2.29.
for Secretary.

To the Secretary to Government, Revenue Department.

M.L. 5-2
ACRN 5-2

C.1.B

Telephone Message

From: The Under Secy. to Govt.
Rev. dept.

To: The Director of public Instruction.

Subject: Alienation — Land and Rev — Mangalore taluk — Kaveur village — S.No. 158/4 — School play ground, well and garden — Parish Union of the Diocese of Mangalore

B.O. Reference No K 4210/28-
dt 7-1-29

---

please state whether the Board's reference read above is pending with you and if so when it may be expected to reach the Govt.

12/2/29

Dated _____ 192

_____ Hours _____ Minutes.

TELEPHONIC MESSAGE.

From Director of Public Instruction

To The under Secretary to Govt: Rev.

Ref: your T.M. dated 9.2.29. regarding the Board's reference K 4210-28-2 dated 7-1-29. relating to the alienation of land Revenue in favour of the School at Kadaba village Kasaragode Taluk under the Management of the Parish Union of the Diocese of Mang[illegible]

Reply The Board's reference has been sent to District Educational Officer, South Canara for his Remarks. As soon as his reply is received it will be submitted

Rev Dept'd

To. us

Subd. for perusal.

12.2.29

12.2.29.

13.2.29

Telephone

Dated 12th February 1929.

14 FEB 1929

--

From:-The Director of Public Instruction,Madras.

To:-The Under Secretary to Government,
Revenue Department, Madras.

-

Reference:- Your telephonic message dated 9-2-2 regarding the Board's reference K.4210-28-2 dated 7-1-29 relating to the alienation of land and revenue in favour of the school at Navur village Mangalore Taluk under the management of the Parish Union of the Diocese of Mangalore.

--

The Board's reference has been sent to the District Educational Officer, South Kanara for his remarks. As soon as his reply is received it will be submitted.

M. Mandell

For Director of Public Instruction

Post copy:

T R 13/2

Revenue

C.I.B 13/14/3

pc copy

(dp) 2nd/14/3

Dept Manu 14/3/29

Dy/C

T.M

From the Under Secy to Govt
Rev Dept

To the Director of public
Instruction.

Subject Alienation – Land
and Rev – Mangalore Taluk
– Kannur village – S. No. 158/
– School, play ground, vel
and garden – parish
Union of the Diocese of
Mangalore.

Boi ref No. K. 4210/28-2
dated 7-1-29,

referred to at p 1 of the proceedings

p.s. of the proceedings your T.R. dated 12.2.29

Please say when the
Boi. ref read above may
be expected to reach the
Govt.

pp
12.3.29

Issued
3 Bch
12.3.29.

2nd
9.3.29

Cb
11.3.29.

G 191 MS Fr original not received. 11

Telephone dated 15- 3- 29

From the Director of Public Instruction, Madras
To the Under Secretary, Revenue Department

*****

L. 9. Supra.

19MAR1929

Reference:- Your T.M dated 12- 3- 29 regarding the alienation of land in favour of the Parish Union of the Diocese Mangalore for their school at Navaur village, Mangalore Taluk.

The District Educational Officer's reply in the matter has not yet been received and he is being reminded today to expedite his reply. On receipt of his reply the papers will be submitted.

M. Mandelt

for Director of Public Instruction

Post copy to the Under Secretary, Revenue Department

Rem Depts

To. us

A.R. 16/3/29

24
19.3.29
Ans
20.3.29

Subs. for perusal

21.3.29

Through the Director of Public Instruction

C.F. 31

Revenue **DEPARTMENT.**

CURRENT No.

Received ..... 192 *Registered* 192

Subject.

Alienation- Land and Revenue -(South Kanara)-.Mangalore taluk- Navur village- S.No.158/4 - School, play ground, well and garden -Parish Union of the Diocese of Mangalore - Recommended.

ENCLOSURES.
No. .....
.....
Spare copies. .....

Reference..No.K 4210/28-2

Station Madras , *Dated the* 7th January 29 192

From B.G.Holdsworth Esq.,I.C.S.,
Secretary,
Land Revenue.
To the Board of Revenue, Revenue Settlement, etc.
Separate Revenue.

H.G. Stokes Esq.,C.S.I.,C.I.E.,I.C.S.,
Commr.of Land Revenue. -

Resolution
Reference.

At the instance of the Collector of South Kanara, the Board recommends the alienation of the plot of land comprised in S.No. 158/4 of Navur village, Mangalore taluk - measuring Ac 1-53 in favour of the Parish Union of the Diocese of Mangalore for the purposes specified in the margin.

(1) School, building and yard around.	Ac.	0-25 cents.
(2) Well and yard around...	,,	0-02 ,,
(3) Play ground..	,,	1-22 ,,
(4) School garden	,,	0-04 ,,
Total.	,,	1-53 ,,

2. The site proposed for alienation is registered in the accounts as assessed waste and measures 1-53 acres. There is already a school built on 1½ cents of the site. The Vicar of Ponnangila church encroached

on the site by building the school. When the Revenue Divisional officer issued a notice to him under section 6 of the Land Encroachment Act, he appealed to the Collector who declined to assign the plot but allowed the encroachment to stand on condition that the Vicar gave his consent to the alienation of the land in favour of the Parish Union of the Diocese of Mangalore for the purpose of the school. The Vicar has agreed to this and the Collector now recommends the alienation.

There are trees worth Rs. 5-13-8 on the site and the Collector recommends that their value may be waived for the reason that the plot forms kumaki to the Kadim lands of the Ponnangil church and that no seigniorage is leviable. The Board supports the Collector's recommendation.

The Parish Union is a registered body.

3. The alienation will be free of charge for the occupancy right and free of assessment but subject to the following conditions:-

(1) The land shall be used for the purpose specified above and for no other purposes;

(ii) No building other than the one already existing for the school shall be constructed on the land without the previous permission of the Collector.

(iii) No part of the land set apart for the play ground and garden shall be built upon without the previous sanction of the Collector

(iv) If there are buildings so constructed with permission compensation shall be payable as usual.

(v) If buildings are constructed in violation of condition (iii) the land with buildings shall be resumed without any compensation whatsoever.

(vi) The Government may resume the land wholly or in part with the buildings thereon in the event of the infringement

of any of the conditions of the grant or if the schoc is not recognised or if the recognition once granted is subsequently withdrawn or if in the opinion of the Government, the land is required for a public purpose or for conducting mining operations.

(vii) In the event of such resumption, if there a buildings on the land, the Government may at their option either -

(a) purchase the buildings, or

(b) allow the grantee to purchase the land at its value on the date of sale or

(c) direct the grantee to remove the buildings

(viii) In the event of the resumption of the land followed by purchase of the buildings under clause (vii)(a) or in the event of the acquisition of the la for any other reason, the compensation payable theref shall in no case exceed the initial cost or the value at the time of resumption or acquisition, whichever shall be less of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

(ix) In the event of the grantee refusing to remove the buildings when so directed under clause (vii)(c) the Government may remove them and realise the cost of removal by the sale of the materials.

(x) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been - effected or other works that may have been executed or the land by the grantee at its cost.

(xi) Full assessment shall be levied if at any time a net income is derived from the land.

4. The Parish Union has agreed to all the conditions except (iv) and (v). The Collector is requested to obtain and submit its consent to these conditions also. He is also requested to report the head-quarters of the Parish Union both inside and outside India.

Since agreed p.1. infra

B05 further report at pp 1—2 k

q.1.29.

or Secretary.

To the Secretary to Government, Revenue Department,

through the Director of Public Instruction,

with alienation statements and sketches.

Copy to the Collector of South Kanara.

p 19 infra 17

pp 21-23 infra 19 & 21

M.D. 8-1

CRR/Gks-1

Application for alienation of land revenue payabl to Government- South Kanara district.

--

1. Description and area	S.No.158/4 of 145 Navur village,Mangalore taluk measuring 1-53 acres.
2. Annual assessment	0-12-0
Capitalised value	18-12-0
3. Alienees and purpose of alienation	Parish Union of the Diocese Mangalore for the purpose o a school
4. Collector's remarks	R e c o m m e n d e d.

Application for the alienation of land in which the proprietary right belongs to the State, South Kanara district.

--

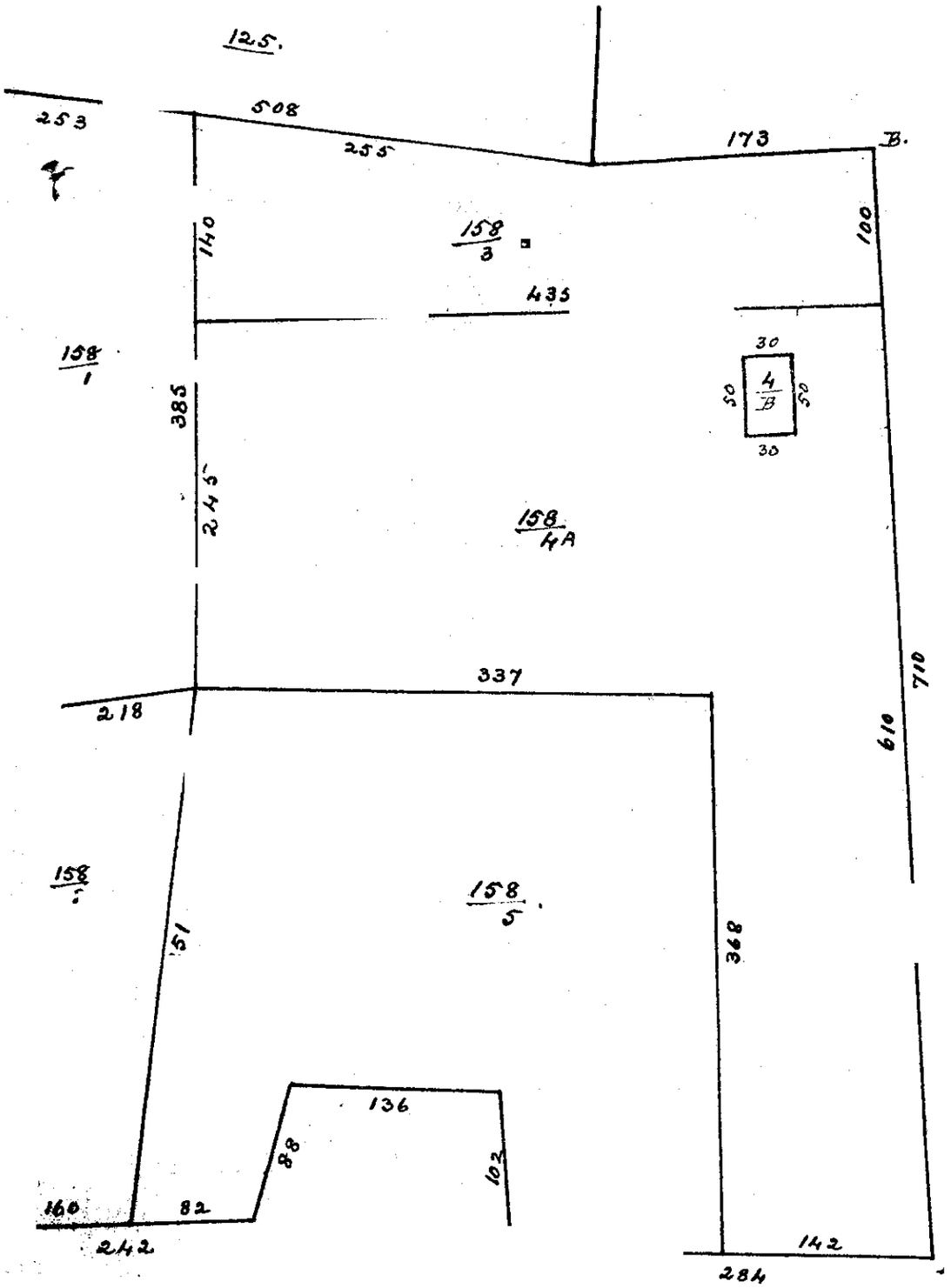
1. Description and area	S.No.158/4 of 145 Navur village, Mangalore taluk measuring 1-53 acres.
2. Market value	.76-8-0
3. Alienees and purpose of alienation	Parish Union of the Diocese Mangalore for the purpose o a school
4. Collector's remarks.	Recommended.

Village

Taluk. Mangalore Field No 158/4. Name: -

Area 1-53 A.

C. Sq. link
4/B = 1-500



90-60 - 58
90-60 - 53

A

Each link = one chain

To Head quarters
by Tele 9.11.28

9.11.28.

Villa

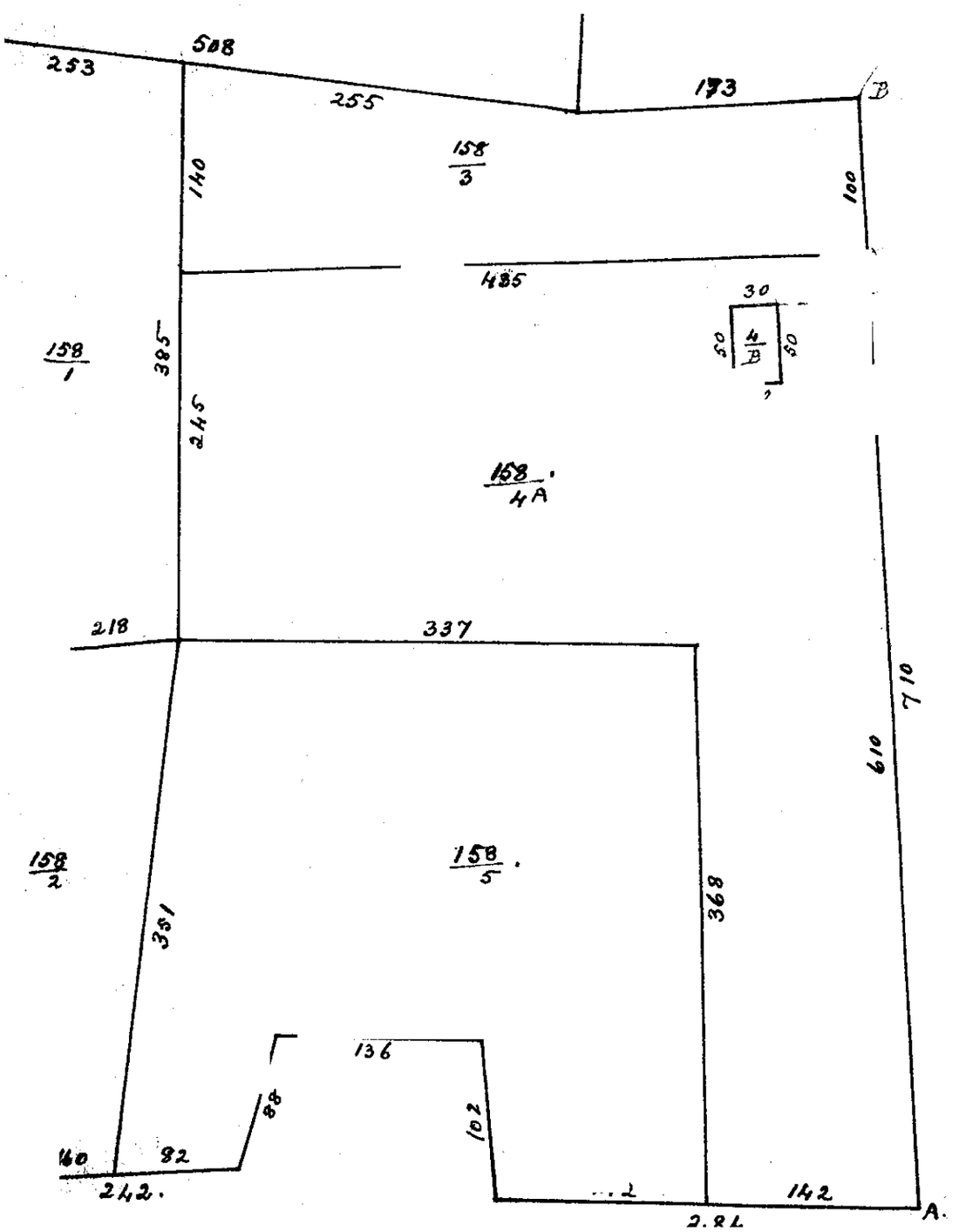
...ngalore. Field No 158/4.

125.

Area. 1-...

C. Sq. ...

4B = 1-500 ...



Scale five inches = one chain.

F Monahan Capt
9.11.28

Ty Tech
9.11.28.

B 23

Rev 1111F Bp 9.42 Conf 9/4

Reference on Current No. 14 B/29 dated 6th April 1929.

9-APR 1929 Submitted.

2. It is reported that the school house is not in a well ted locality and the pupils now attending the school easily attend the neighbouring schools which are not far off. Further as the strength and attendance are ~~fluctuating~~ diminishing in the school does not seem to be needed in the locality. Therefore the Board's recommendation is not supported.

pp ~~[illegible]~~
13-16 Extra
M. Mandell
for Director of Public Instruction

To

The Secretary to the Government of Madras,
Revenue Department.

S.V.

25

T. M.

From Asst. Secy to Govt. Rev. Dept.

To the Director of Publick Instruction.

Subject - Alienation - Land and Revenue - Mangalore Taluk - Navoor village - ~~S.No. 158/4~~ - School - ~~playground well and garden~~ - Parish Church of the Diocese of Mangalore - Your Repce. on ~~C~~No. 44 B/29 d. 6-4-29.

Please state whether the school referred to above has been recognised.

CS
26/4

EN
28-4-29

Dpd. by Van Post
Date 29/4/29

To D.C. to be sent.

Recd
29/4/29.

OFFICE OF THE: _____

Dated _____ 192

_____ Hours _____ Minutes

TELEPHONIC MESSAGE.

From

To The Secretary to Govt:- Revenue

Refg. your T.M. dated 21.4.29 Regarding
transfer of land and rec - Mangalavattam
Road village - School - Panchayat of
the District of W. E

The school was temporarily recognised by
the Dt. Educational Council. It is
reported that as the strength and attendance
of the school are dwindling - the recognition
accorded will probably be withdrawn.

Telephone Message, dated 30th April, 1929.

From

The Director of Public Instruction,
Madras.

To

The Assistant Secretary,
Revenue Department.

REFERENCE:-Your Telephone Message dated 27-4-29 regarding alienation of Land & Revenue. Mangalore Taluk-Navur .lage School-Parish Union of the Diocese of Mangalore.

The school was temporarily recognised by the District Educational Council. It is reported that as the strength and attendance of the scho are diminishing the recognition accorded will probably be withdrawn.

M. Candeth

for Director of Public Instruction.

Post Copy to,-
The Assistant Secretary to Government,
Revenue Department.

M.R.P.1/5.

Rev. Dept

Alienation – Land and Rev –
(South Kanara) – Mangalore [redacted]
– Kavoor village – S. No. 155/4 – S[redacted]
play ground, well and garden[redacted]
– parish church of the Diocese [redacted]
Mangalore.

From the [redacted] of Rev. [redacted]
Rfce No K 4210/28-2 d. 7-1-29
and S. No. K. 4210/28-3 d. 4-2-29.
From the D-p 9. R c. No. 44 B/
d. 6-4-

C. ro. 444 F/24)
pp 13-16 cf.
pp 1-2 cf.
p 23 cf.

To US.

please see the Bds rfce at pp. 13-16 cf. and the D-p 9's remarks at p. 23 cf. The D-p 9 does not support the Bds recommendation. For orders whether the Bd's ~~good~~ recommendation may be negatived. Subject to ~~the D-p 9's~~ ~~of AO~~ a draft OM is subs for approval. Is the sanction required?

DDM 23.4.29

24/
17.4.29
CM
19-4-29

To AS

With reference to US's query above a draft t. m. to the D-p 9 is submitted for approval.

CM
26-4-29

Issued as T M to DPI D 27-4-29.

DPI's reply D 30-4-29.

Sir,

With reference to the US's query on supra please see the T.M. from the DPI on

30-4-29 The q.n. of alteration may await the decision of the District Educational Council.

DPI
2.5.29

With the G.C. case file.

Sd/-
31/5/29

US

the file referred to by Secy above (642F/29) as submitted to US on 2-5-29 linked with other file (CNo. 1139F/29). In that file the question was raised whether the Govt may refuse to grant land to a school on account

19

of its non-recognition by the Educational Deptt.

Await return of the files from Lr (Edn).

DDH

Sent to Lawd^s dn 7-5-29

Keep warm

To Rs.

dissented

Please see notes in Lf. 7 above.

DDH

30.5.29

Rec'd 29/5/29

By hand

The reasons given for the occupation have not been regularized or terminated. There seems to be little justification for the latter course; & generally the case is similar to that in file 1 above. Termination may be vacated

dissented & sent separately 7/6

Rec. 31.5.29

Rec'd 12 JUN 1928

2632

(R 15/90/3

12.6.29

To Rs.

A draft order is submitted for approval may be sent to Law (Edn) Dept for acceptance.

DDH 10.6.29

Rev. no. 4447-29

Lr (Edn)

7-6-29 7-6-29

Law (E&S) Dept.

The draft may be accepted and the file returned to Rev. dept.

2076

Revn

8.

Rev. dept.

To L&S

The draft order may issue

Secn

24.6.29

Rev: S. 642 F.

Dept 2164.

25/6

25-6-29

21-JUNE 929

Sectt. II-5 (a)—48,004—6-11-28. (6)

Revenue. DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched		

17/25/6.

READ AGAIN G.O. No ..... , dated 192

" " " " ..... " 192

READ ALSO:— p 13-21 cf

C. No. 444 F/29. From the Bd of Rev. dt R48 Refce No K 4210/28-2 dated 7-1-1929.

p p 1-2 cf " " Do Refce No. K. 4210/28-2 dt. 4-2-29

p 23 cf " " D. P. I. Re, 44 B/29 " 6.4. 1929.

" " " " " " 192

ORDER. No. 1242 dated 25-6- 1929.

p 17 cf

The Govt sanction the alienation of Ac. 1-53 of land in S. No. 158/4 of Navuk village, Mangalore Taluk South Kanara District in favour of the Parish Union of the Diocese of Mangalore for the purposes specified below:—

	Ac. cents
(1) School building and yard around.	0 - 25
(2) Well and yard around.	0 - 02
(3) Play ground.	1 - 22
(4) School garden.	0 - 04
Total	1 - 53

2. The alienation will be free of charge for the occupancy right and free of assessment but subject to the following Conditions:-

1) The land shall be used for the purpose specified above, and for no other purposes.

2) No building other than the one already existing for the school shall be constructed on the land without the previous permission of the Collector.

No part of the land set apart for the play-ground and garden shall be built upon without the previous sanction of the Collector.

3) If there are buildings so constructed with permission compensation shall be payable as usual.

4) If buildings are constructed in violation of Condition (3) the land with buildings shall be resumed without any compensation whatsoever

5) Govt may resume the land wholly in part with the buildings thereon in the event of the infringement of any

The Q. i.s. time re. Secs. into have been omitted in view of Secs. note on p 3 ref.

of the conditions of the grant. or if in the opinion of the Govt. the land is required for a public purpose or for Conducting mining operations. ~~A if the Govt~~

(7) In the event of such resumption, if there are buildings on the land, the Government may at their option, either

(a) purchase the buildings or

(b) allow the grantee to purchase the land at its value on the date of sale, or

(c) direct the grantee to remove the buildings.

(8) In the event of the resumption of the land followed by purchase of the buildings under ~~xxxxxx~~ clause (7)(a), or in the event of the acquisition of land for any reason the compensation payable therefor shall in no case, exceed the initial cost, or the value at the time of the resumption or the acquisition, whichever shall be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant.

(9) In the event of the grantee refusing to remove the buildings, when so directed under clause 7 (c), the Government may remove them and realise the cost of the removal by the sale of the materials.

(10) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected, or other works that may have been executed on the land by the grantee at ~~his~~ its cost.

(11) Full assessment shall be levied if at any time a net-income is derived from the land.

Dpd. by Van Post Messenger

Dpd's initial MMS

26/6 KG

10.6.29

To the Bd of Rev. & R&S.

" Law (Crown) Dept.